

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

|                        |   |                      |
|------------------------|---|----------------------|
| ANDY BERRIOS,          | ) | CASE NO. 1:23-cv-230 |
|                        | ) |                      |
|                        | ) |                      |
| PLAINTIFF,             | ) | JUDGE SARA LIOI      |
|                        | ) |                      |
| vs.                    | ) |                      |
|                        | ) | MEMORANDUM OPINION   |
| COMMISSIONER OF SOCIAL | ) |                      |
| SECURITY,              | ) |                      |
|                        | ) |                      |
| DEFENDANT.             | ) |                      |

Before the Court is the report and recommendation of the Magistrate Judge in the above-entitled action. Under the relevant statute:

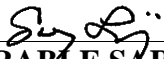
[ . . . ] Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C). In this case, the fourteen-day period has elapsed and no objections have been filed. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's report and recommendation and adopts the same. Accordingly, the Commissioner's decision is AFFIRMED.

**IT IS SO ORDERED.**

Dated: February 5, 2024

  
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**HONORABLE SARA LIOI**  
**CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**